

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

EVELYN CATON,)	
)	
PLAINTIFF,)	
)	
vs.)	CASE No. 09-CV-11-JHP-FHM
)	
UNITED STATES OF AMERICA,)	
)	
DEFENDANT.)	

OPINION AND ORDER

Plaintiff's Motion Requesting Defendant to Immediately Fully Comply with the Requirements of Rule 26(a)(1) Initial Disclosures [Dkt. 46] is before the Court for decision. Plaintiff's motion appears to request an order from the Court requiring Defendant to produce the documents identified in its initial disclosures. Defendant filed a response in opposition to Plaintiff's motion [Dkt. 47] contending that it had complied with Fed.R.Civ.P. 26(a)(1)(A)(ii) by describing by category and location documents that it may use to support its claims or defenses. Defendant further recited in its response that "In the interest of dealing fairly with a pro se party, however, the United States will produce the documents described in the disclosures...". Plaintiff has filed no reply regarding this issue.

The Court finds that Plaintiff's motion should be denied because Defendant complied with Fed.R.Civ.P. 26(a)(1)(A)(ii) in providing its initial disclosures. Moreover, in light of Defendant's production of the documents identified in its initial disclosures, Plaintiff's motion appears to be moot.

Plaintiff's Motion Requesting Defendant to Immediately Fully Comply with the Requirements of Rule 26(a)(1) Initial Disclosures [Dkt. 46] is DENIED.

SO ORDERED this 14th day of July, 2009.


FRANK H. McCARTHY
UNITED STATES MAGISTRATE JUDGE